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LATHAM & WATKINS LLP

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April 23, 2012

VIA ECF AND FEDERAL EXPRESS

Hon. Mark Falk, U.S.M.J.
United States District Court for the District of New Jersey
Martin Luther King Jr. Federal Building & U.S. Courthouse
50 Walnut Street.
Newark, New Jersey 07101

Re: Ricky Dudley v. Christian W.E. Haub, et al.,
Case No.: 2:11-cv-5196 (WJM)(MF)

Dear Judge Falk:

We represent Defendants The Yucaipa Companies LLC and Ronald Burkle (the "Yucaipa Defendants") in the above referenced matter. We write to request that their responses to the Amended Complaint be on the same schedule as the other parties in this case.

The Yucaipa Defendants were not named as defendants in the earlier complaint in this case, but were named in the recently filed Amended Complaint. On March 1, 2012, before the Yucaipa defendants were named, the parties to the earlier complaint requested the following schedule:

- Defendants shall answer, move or otherwise respond to the Amended Complaint no later than June 1, 2012;
- Should Defendants move to dismiss the Amended Complaint, Lead Plaintiffs shall serve their responses to Defendants' motion to dismiss no later than August 1, 2012; and
- Defendants shall file their reply in support of their motion to dismiss no later than September 17, 2012.

On March 2, 2012, Judge Martini approved this schedule. (*See* Docket Entry 24 (attached).) The Yucaipa Defendants ask to be permitted to respond to the Amended Complaint on this same schedule.

LATHAM & WATKINS^{LLP}

There have been no prior requests by the Yucaipa Defendants to extend the deadline for responding to the Amended Complaint and plaintiffs' counsel of record has consented to this request. We respectfully request that the Court So-Order this request.

Thank you for your attention to this matter.

Respectfully submitted,

/s/ Sean-Patrick Wilson
Sean-Patrick Wilson

cc: All Counsel of Record (via ECF)

SO ORDERED:

Dated: _____

Hon. Mark Falk, U.S.M.J.

COHN LIFLAND PEARLMAN HERRMANN & KNOFF LLP

COUNSELLORS AT LAW

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March 1, 2012

VIA FACSIMILE 973-645-4703

Hon. William J. Martini
U.S. District Court for the District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street, Room 4076
Newark, NJ 07101

Re: *Ricky Dudley v. Christian W.E. Haub, et al.*,
Case No.: 11-5196 (WJM-MF)

Dear Judge Martini:

We represent Lead Plaintiffs City of New Haven Employees' Retirement System and Plumbers and Pipefitters Locals 502 & 633 Pension Trust Fund ("Lead Plaintiffs") in the above-referenced action. We write by facsimile with the Court's permission to respectfully request that the Court extend the time to file Lead Plaintiffs' Amended Complaint.

On February 6, 2012, the Court enter a Stipulation and Order (Doc. No. 23) directing that: (i) Lead Plaintiffs are to file their Amended Complaint on March 2, 2012; (ii) Defendants are to answer, move or otherwise respond to the Amended Complaint no later than May 1, 2012; (iii) Lead Plaintiffs are to file and serve their response to Defendants' motion to dismiss no later than July 2, 2012; and (iv) Defendants are to file and serve any reply in support of their motion to dismiss no later than August 16, 2012.

Lead Plaintiffs seek a two-week extension of time to file their Amended Complaint and to extend the schedule for the briefing on Defendants' anticipated motion to dismiss. Defendants do not oppose such request. Lead Plaintiffs also have conferred with Defendants regarding the extended briefing schedule, and the parties have agreed upon the following schedule subject, of course to Your Honor's approval:

- Lead Plaintiffs shall file their Amended Complaint no later than March 16, 2012;
- Defendants shall answer, move or otherwise respond to the Amended Complaint no later than June 1, 2012;

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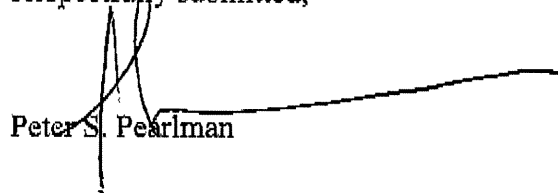
March 1, 2012

Page 2

- Should Defendants move to dismiss the Amended Complaint, Lead Plaintiffs shall file and serve their response to Defendants' motion to dismiss no later than August 1, 2012; and
- Defendants shall file their reply in support of their motion to dismiss no later than September 17, 2012.

There have been no prior requests to extend the time for filing the Amended Complaint, as set forth in this Court's February 6, 2012 Order. Lead Plaintiffs respectfully request that the Court So-Order the extended briefing schedule set forth herein.

Respectfully submitted,

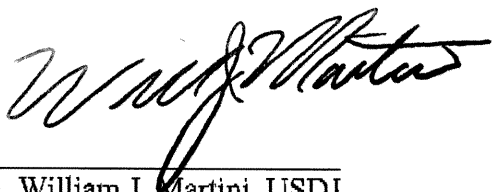

Peter S. Pearlman

MA/PAF

cc: Mario Alba, Esq. (via email only)
Lawrence M. Rolnick, Esq. (via email only)
Gary Bornstein, Esq. (via email only)
Bradley J. Butwin, Esq. (via email only)
Allen W. Burton, Esq. (via email only)
Michael S. Gordon, Esq. (via email only)
Alan R. Friedman, Esq. (via email only)
David H. Kistenbroker, Esq. (via email only)
Joni S. Jacobsen, Esq. (via email only)
Ashley J. Burden, Esq. (via email only)

SO ORDERED:

Dated: 3/2/12


Hon. William J. Martini, USDJ